

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

<b>GRADUAL TAYLOR,</b>	:	<b>CASE NO. 1:02CV446</b>
<b>Plaintiff,</b>	:	(Judge Weber) (Magistrate Black)
v.	:	
<b>CHERYL HART,</b>	:	<b><u>MOTION TO VACATE SCHEDULE</u></b> <b><u>AND MEMORANDUM IN</u></b> <b><u>SUPPORT</u></b>
<b>Defendant.</b>	:	

Police Officer Cheryl Hart moves the Court to vacate the existing schedule to allow time for the Court to rule on the pending motion for order of contempt and motion for partial summary judgment. Those motions may be dispositive or, depending how the Court rules, may require additional time for Officer Hart to complete the deposition of one of the plaintiff's witnesses. Dispositive motions would otherwise be due May 30, 2007, prior to the time Officer Hart can complete discovery. The plaintiff's witness ignored the subpoena served on her to attend and complete the deposition that had been continued in progress.

Respectfully submitted

**JULIA L. McNEIL(0043535)**  
City Solicitor

*/s/ Richard Ganulin*  
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*/s/ Donald E. Hardin*

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Special Counsel for Police Officer  
Cheryl Hart

**CERTIFICATE OF SERVICE**

I hereby certify a true and accurate copy of the foregoing Motion to Vacate Schedule and Memorandum in Support was filed electronically this 11<sup>th</sup> day of May, 2007. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system and a certified copy mailed to Mr. Gradual Taylor, 8283 Carol Avenue, Cincinnati, Ohio 45231, who is not served via the Court's electronic filing system. Parties may access this filing through the Court's system.

*/s/ Richard Ganulin*

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